IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1363 OF 2006

Vajubhai Karsanbhai Dobaria ...

Applicant

Versus

The State of Maharashtra ... Respondents.

Ms. S.D. Khot for the applicant.
Mrs. A.S. Pai, Additional Public Prosecutor, for the State.

CORAM: **KSHITIJ R. VYAS, C.J.**
DATE: **APRIL 28, 2006**.

P.C.

Heard the learned counsel for the applicant and the learned Additional Public Prosecutor and perused the application.

2. Considering the allegations made against the applicant, prima facie, it appears that his role, at the most, can be described as carrier to carry the offending articles. The statements of Smt. Niruben B. Dowaria and Smt. Bharti D. Patel, prima facie, do not suggest that the applicant had no knowledge of stealing goods while carrying the same in his Tata Sumo vehicle. In view of the same, in my opinion, the applicant has to be released on bail. The learned Additional Public

Prosecutor apprehends that if the applicant is released on bail, it would be difficult for the Maharashtra Police to trace out the applicant as he is a resident of Surat, Gujarat. In my opinion, by imposing strict conditions, the said apprehensions can be avoided.

3. In the result, the applicant is released on bail in the sum of Rs.25,000/- with one surety of the like amount on usual terms and conditions with further condition that the applicant shall report to the Crime Branch, C.I.D., Surat on every Saturday any time between 11.00 a.m. and 5.00 p.m. The Applicant shall not leave the city limits of Surat without the permission of the Senior Police Inspector, C.I.D., Crime Branch,Surat. In case such a permission is granted, the applicant shall furnish all details about his residence of the place where he proposes to go. The Senior Police Inspector, C.I.D., Crime Branch, Surat shall inform about compliance of these directions to the Investigating Officer attached to Satara City Police Station in C.R. No. 372 of 2004. Application is accordingly disposed of.

CHIEF JUSTICE